IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA BRYSON CITY DIVISION

CIVIL NO. 2:07CV22

DENNIE L. MOSS,)
Plaintiff,))
Vs.) <u>JUDGMENT</u>
MICHAEL J. ASTRUE, Commissioner of Social Security,))
Defendant.)))

For the reasons set forth in the Memorandum and Order filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff's motion for summary judgment is **DENIED**, the Defendant's motion for judgment on the pleadings, construed as a motion for summary judgment, is **ALLOWED**, the decision of the Commissioner denying Social Security benefits to the Plaintiff is **AFFIRMED**, and this action is hereby **DISMISSED WITH PREJUDICE** in its entirety.

Signed: February 20, 2009

Lacy H. Thornburg United States District Judge